

REMARKS

This communication is in response to the outstanding Final Office Action in this matter, which was mailed on July 17, 2009 and is accompanied by a Request for Continuing Examination. In the Action claims 1-35 were pending and all of the pending claims were rejected. By this response, claims 1-2, 11, 19, 24, and 29 are amended. Applicants respectfully submit that, in view of the claim amendments and remarks herein, claims 1-35 are in condition for Allowance.

Claim Rejections 35 U.S.C. § 112

Claims 2 and 25 are reported as being rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claim 2 has been amended to address the alleged deficiency, but Applicants submit that claim 25 does not include the alleged language and is definite. Withdrawal of the rejection is respectfully requested.

Claims 11-18 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Applicants respectfully traverse the rejection. Claim 11 is an independent claim that is directed toward a “computer implemented method of soliciting a response”. The Office Action points out that claim 11 does not recite the response in the body of the claim. However, Applicants respectfully submit that a mere solicitation of a response does not necessitate that there is a response. The claim is not directed toward preparing a response or receiving a response, it is merely directed toward soliciting a response. Therefore, Applicants submit that it is not necessary to recite a response for claim 11 to be definite under 35 U.S.C. § 112, second paragraph. Nevertheless, Applicants have amended claim 11 to advance prosecution to include the feature of “preparing the processor to receive the response.” Withdrawal of the rejection is respectfully requested.

Claim 24 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claim 24 has been amended to specifically recite “the data store”, thereby

clearly reciting that this data store is the same data store as the one previously recited in the claim. Withdrawal of the rejection is respectfully requested.

Claim Rejections 35 U.S.C. § 101

Claims 24-35 stand rejected under 35 U.S.C. § 101 as allegedly being directed to software, *per se*. Of these claims, claims 24 and 29 are independent claims and each has been amended to address the alleged deficiencies. In addition, claims 1, 11 and 19 have been amended to preemptively address any rejections that may arise under 35 U.S.C. § 101. In view of the claim amendments made herein, Applicants submit that the claims are directed toward statutory subject matter under 35 U.S.C. § 101. Withdrawal of the rejection is respectfully requested.

Claim Rejections 35 U.S.C. § 103

Claims 1-3, 6, 8-9, 19-20, 23-26, and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Number 6,289,460 of Hajmiragha. Claims 1, 19, and 24 are independent claims. Applicants respectfully traverse the rejection.

Claim 1 is directed toward a method of responding to an RFQ by accessing an index having an entry for each of a plurality of RFQs. Each entry includes identification information related to the RFQ with which it is associated. Each of the RFQs is generated by an RFQ generator. Information for each entry in the index is provided to the index by the RFQ generator that generated the RFQ with which the entry is associated. Applicants respectfully submit that Hajmiragha fails to disclose all of the features of the method recited in claim 1, including the feature that is highlighted in the previous sentence.

Hajmiragha is directed toward a document management system. It makes no mention of any sort of RFQ whatsoever, much less an index that includes identification information related to an RFQ. Applicants admit that Hajmiragha does discuss a document manager that can perform “document content indexing”. However, Hajmiragha does not disclose any specifics regarding how an index is created or that each index entry is created, not by a document manager, but by the RFQ generator that generated the RFQ. Furthermore, the Office

Action asserts that the documents themselves can be searched “against the content of a document as well as the document’s attributes”. (Hajmiragha, col. 10, ll. 16-19.) Applicants respond that searching a document for its attributes is not the same as accessing an index. Applicants submit that this passage of Hajmiragha is disclosing searching a document itself for metadata and not accessing an index. Even still, the searching here is done by a single document manager, which is not the same as creating an index entry using the RFQ generator that actually generated the RFQ. Thus, Hajmiragha fails to disclose this recited feature of claim 1.

In addition, claim 1 explicitly recites “generating a reply to the retrieved RFQ by providing information requested in an RFQ template associated with the retrieved RFQ.” The Office Action asserts that “approval” and “collaboration” are interpreted as replies. However, there is no teaching that approval and collaboration are replies that are generated by providing information requested in an associated RFQ template. It is simply a fact that the Hajmiragha reference is not directed toward RFQs but rather toward a more generic document management system. As such, it does not teach or suggest features such as the ones detailed here that are advantageous when responding to an RFQ. Applicants thus submit that claim 1 is allowable over the Hajmiragha reference. Claims 2-3, 6, and 8-9 depend from claim 1 and are believed to be allowable based at least on their dependence on an allowable base claim.

Claim 19 has been amended to include a feature similar to that discussed above with respect to claim 1. More particularly, claim 19 recites “receiving indexing information for each RFQ from the requester without prompting of the requester, the indexing information being provided by an RFQ generator at the requester that generated the RFQ”. As discussed above with respect to claim 1, Hajmiragha fails to disclose that indexing information is being provided by an RFQ generator at the requester. For at least this reason, Applicants submit that claim 19 and its dependent claims 20 and 23 are allowable. Claim 24 has been similarly amended and is believed to be allowable for substantially similar reasons. Claims 25-26 and 28 depend from claim 24 and are also believed to be allowable based on their dependence on an allowable base claim. Withdrawal of the rejection is respectfully requested.

Claims 4-5, 10-15, 21-22, 27, and 29-32 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hajmiragha in view of U.S. Patent Publication Number 2002/0052807 of Han et al. (hereinafter “Han”). Claims 11 and 29 are independent claims. Claims 4-5 and 10 depend from claim 1 and are believed to be allowable for at least the reason that they depend from an allowable base claim. Claims 21-22 depend from claim 19 and claim 27 depends from claim 24 and are likewise believed to be allowable.

Claims 11 and 29 have been amended to include features similar to those discussed above with respect to independent claim 1. As the Applicants have pointed in previous communications, Han fails to teach an index of the type recited in claims 11 and 29 and thus cannot correct the deficiencies of the Hajmiragha reference. As such, Applicants respectfully submit that claims 11 and 29 are allowable over the cited references. Furthermore, claims 12-15 and 30-32 depend from one of these independent claims and are believed to be allowable based at least on their dependence on allowable base claims. Withdrawal of the rejection is respectfully requested.

Claims 7, 16-18, and 33-35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hajmiragha in view of Han and further view of U.S. Patent Number 7,110,976 of Heimermann et al. Each of these claims depends from independent claims that are believed to be allowable and thus claims 7, 16-18, and 33-35 are likewise believed to be allowable. Withdrawal of the rejection is respectfully requested.

Summary

All of the pending claims are in condition for Allowance. Applicants respectfully request a Notice of Allowance. The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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